

City of Keene
New Hampshire

PLANNING, LICENSES AND DEVELOPMENT COMMITTEE
MEETING MINUTES

Wednesday, August 28, 2019

7:00 PM

Council Chambers

Members Present:

Philip M. Jones, Vice-Chair
George S. Hansel
Kate M. Bosley

Staff Present:

Elizabeth A. Dragon, City Manager
Thomas Mullins, City Attorney
Rhett Lamb, Community Development
Director
Kürt Blomquist, Public Works Director
William Dow, Records Manager/Deputy City
Clerk

Members Not Present:

David C. Richards, Chair
Robert J. O'Connor

Vice Chair Jones called the meeting to order at 7:00 PM and explained the procedures of the meeting.

1) Attorney Heather Carlisle/Tilson Technologies - Requesting the City Manager's Signature on Application for a Conditional Use Permit to Install Small Wireless Facilities in the City Right- of-Way

Vice Chair Jones recognized Attorney Heather Carlisle, of 16 Middle Street, Portland, Maine to introduce herself.

Vice Chair Jones stated that the PLD Committee received Attorney Carlisle's letter via City staff. He asked if she had more to add. Ms. Carlisle stated that she works for Tilson, and Tilson's affiliate, SQF, has been contracted by US Cellular to help with Tilson's upgrade project. She continued that they have identified six locations in the city where they want to install small wireless facilities. She has met with staff about those locations and what Tilson is trying to do. They are still fine-tuning a couple locations and are close to having that finalized. They would like to proceed with applying via the conditional use permit process.

Vice Chair Jones, directing his comments to staff, stated that tonight they are asking for the City Manager to sign the conditional use permit application as the property owner, but this request would still have to go to the Planning Board for site approval, and it still needs to come back to the PLD Committee for a license and then go to the City Council for approval.

Rhett Lamb, Community Development Director, replied that that is correct. He continued that the advice that staff provided to Ms. Carlisle through the Zoning Ordinance's section on telecommunications is that a conditional use permit will be required through the Planning Board process. That application requires an owner's signature.

Mr. Lamb continued that in this case they are talking about the public right-of-way and it would be logical for the applicant to ask for the City Manager to sign the application form. This is the first of three steps, the second step being the conditional use permit. Staff has talked with Tilson about the need for a license granted by the City Council to use the public right-of-way.

Vice Chair Jones asked Ms. Carlisle to describe what a small wireless facility is. Ms. Carlisle replied that it is the next wave of telecommunications: 4G. It is the new way carriers are addressing coverage and capacity gaps. She continued that US Cellular's engineers have identified areas where there is a coverage gap or capacity issue with the existing antennas in the city. These are small, low-power, two-foot tall antennas usually mounted on top of utility poles. They are cylindrical and look like transformers. They have not-far-reaching coverage; instead of one giant tower there are smaller installations interspersed in the area.

Vice Chair Jones stated that Tilson will be using their own poles. Ms. Carlisle replied yes, they reviewed the locations they want and found that in one or two locations they could pole-locate the antennas on existing structures, but that is not possible for the others, so they propose new structures for those areas.

Vice Chair Jones stated that Tilson is only approaching the City regarding locations in the right-of-way. He asked if other locations are proposed for private property. Ms. Carlisle replied no, only locations in the right-of-way.

Councilor Hansel asked if this is looking to improve coverage just in dense/downtown areas, or more rural areas. Ms. Carlisle replied it is all over – there is one residential and others are more commercial. Vice Chair Jones asked if there were two residential ones. Ms. Carlisle replied that she believes so. She continued that they want to make the structures as unobtrusive as possible, so they are not an eyesore. There are lots of options of how to install and make them blend in with the surrounding area.

Vice Chair Jones stated that the city has certain residential areas where there are no poles, because the utilities are underground. He asked if any of Tilson's proposed locations are in such areas. Ms. Carlisle replied that she does not think so.

Vice Chair Jones asked if it can be said that this is a benefit to the community. Ms. Carlisle replied yes, specifically to US Cellular customers.

Councilor Bosley asked if the uses will be to expand the customer base because they have reached capacity, or to service current customers. Ms. Carlisle replied that it depends. She continued that she will have that information when they apply for the conditional use permit, because it depends on the location. Sometimes the issue is that so many people are using the service that their calls get dropped, and other times, there is just not great service in a certain area.

Vice Chair Jones asked the City Attorney if this can be a revenue opportunity. City Attorney Thomas Mullins stated that the permit and licensing processes have fees associated with them, and also, if these facilities are in the public way, potential real estate taxes are associated with them. He continued that the short answer is yes, but they have not determined details yet, and those will be determined as the situation unfolds.

Councilor Bosley stated that she is curious about the contractual relationships between the different cellular companies. She asked if there is potential for these devices to benefit other cellular uses. Are there roaming arrangements where this might potentially increase the coverage for other users? If other companies recognize coverage needs is there potential for them to contract with Tilson and thus not have to put up new poles? Ms. Carlisle replied that she does not think the cellular companies would have that kind of a relationship, but Tilson could make structures to accommodate other antennas. She continued that potentially another company could pole-locate on the structures Tilson installs.

Councilor Bosley asked if that means other cellular companies would not need to come and ask the City for permission to put up more poles. Mr. Lamb stated that they *will* see other companies asking. He continued that there are some height limits for the poles, separation requirements for the antennas, and a 10% cap on the height you can increase on poles, so most likely they will have other applicants requesting to install this type of thing to handle the needs of the other carriers.

Councilor Bosley asked if the City will own the poles. Mr. Lamb replied that it depends. He continued that he does not think the City owns any poles in the right-of-way, but they own poles in parking lots. He continued that in most cases, poles will be owned by a third party, such as the utility company in the right-of-way, or Tilson would own the poles and lease them back to a carrier.

Vice Chair Jones asked if anyone from the public had questions or comments. Hearing none, he asked if the committee had more thoughts. Hearing none, he asked for a motion.

Councilor Bosley made the following motion, which was seconded by Councilor Hansel.

On a vote of 3-0, the Planning, Licenses and Development Committee recommends that the City Manager be authorized to sign the conditional use permit application submitted by Tilson Technologies to install small wireless facilities in various locations in the City right-of-way.

2) **DISCUSSION: Periodic Update - Energy and Climate Committee**

Dr. Ann Shedd, of 59 Greenwood Avenue, Chair of the Energy and Climate Committee, introduced herself and read from a prepared statement:

“The Energy and Climate Committee has had several significant moments since you heard our last report: a name and mission update, adoption of ambitious energy goals for the City and the community, and expanded committee membership.

Our name as Cities for Climate Protection Committee was found to derive from a collaboration which no longer existed as such. With Council’s approval, the committee was renamed as the Energy and Climate Committee, and our mission was updated.

The City’s previous climate goals set targets for reductions in greenhouse gas emissions through 2015; a 2018 report showed that the City exceeded its goals but that the community at large has room for significant further progress. As ECC was considering what new targets would be appropriate for the City, a local grass-roots initiative emerged, seeking to bring 100% renewable energy goals to Keene. On review by ECC, the renewable energy goals were deemed consistent with the City’s stated values and goals, and with the State’s Climate goals. In January of this year Council adopted a resolution setting community-wide goals for 100% of electricity to come from renewable sources by 2030, and 100% of heating, cooling, and transportation to be powered by renewables to by December 2020, to outline how we can reach these goals.

Recognizing the importance of bringing multiple perspectives to discussions around a broad-based energy plan, Council recently approved increasing ECC membership from 7 to 11, with an additional 3 alternates. Eleven seats are now filled or in process; we have representation from the business sector, the green building sector, SAU 29, Keene State, County administration, the Medical Center, and the general public. This has been making for interesting and productive discussions in ECC meetings.

City staff and ECC members have undertaken some initial tasks of developing a Sustainable Energy Plan. We have nagged our way through the chain of command at Eversource and now have an overall sector-by-sector baseline for electricity consumption in Keene.”

Dr. Shedd stated that the baseline figure was for 2018, and they are looking to get these reports annually. She continued:

“We also have a baseline for how much installed solar capacity Keene has in place to date.

Council has approved use of unexpended funds from the 2019 budget to contract with a consultant who will assist in development of energy-transition strategies. The expectation is that these strategies will move us to clean, reliable, affordable energy while providing greater resilience to potential disruptions of energy systems.”

Vice Chair Jones asked if that will be part of the plan for December 2020. Dr. Shedd replied that they will be assisting in the development of that plan. She continued that the consultant will not be writing the plan, but will be helping define some of the content of the plan.

Dr. Shedd continued reading her written statement:

“Broadening community engagement around the plan, during its development and implementation, will be essential. Through the spring and summer the City had an Antioch intern developing engagement strategies; we’ve had the first of a planned series of focus groups, and are currently planning for a first Community Workshop in late October. With October recognized as Energy Awareness Month since the Bush-1 administration, ECC is among several groups in the region scheduling education and outreach events during the month.

Collaboration with other entities with shared goals has been and will be useful in developing the Energy Plan. ECC continues to receive helpful support from the MPA Clean Energy Team around community education and engagement, and we’ve been in discussion with the Monadnock Interfaith Project about community outreach through their networks. ICLEI’s 100% Renewable Energy Network has already provided support and resources for our planning. The City is now a municipal member of Clean Energy NH; our membership gives us access to technical support, education, and tracking of energy-related NH legislation. There is also now a network of NH municipalities with 100% renewable energy goals. Staff and committee members have attended workshops with that network, and conferred with counterparts in those other communities.

ECC has been a participant in the Monadnock Energy Hub, a non-profit coalition of local Energy Committees and others. The Hub has organized Drive Electric events, and assisted in developing plans for installation of the region’s first DC fast-charger as part of the Monadnock Co-op’s expansion. The Hub will be providing technical support for a ‘Solarize Monadnock’ campaign planned for 2020 in Keene and Marlborough. The Hub has also been nurturing a relationship with Charlotte Ancel, Eversource’s Director of Strategic Development: she will be a panelist at the upcoming Radically Rural conference.

There are interesting challenges and opportunities ahead as together we navigate the transition from fossil fuels to renewable energy to power Keene’s 21st century vibrant economy, healthy environment, and healthy population.”

Vice Chair Jones stated that they have been very busy. Dr. Shedd replied that it is a busy and exciting time. Vice Chair Jones stated that he knows Dr. Shedd’s heart is in this, and he thanks her for all that she does and for her leadership.

Councilor Hansel stated that this is a perfect example of the City being a facilitator for big ideas. He continued that this committee really impresses him in how they bring

together experts from around the community to tackle these issues. Their work is commendable and he appreciates it.

Vice Chair Jones stated that eight years ago the City Council started a program of seeking reports from each committee and commission every other year, and reports from City department on the alternate years.

Vice Chair Jones asked if members of the public had questions or comments. Hearing none, he asked if members of the committee had further questions or comments. Hearing none, he asked for a motion.

Councilor Hansel made the following motion, which was seconded by Councilor Bosley.

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends that the periodic update from the Energy and Climate Committee be accepted as informational.

3) 2019 Fire Prevention Parade- Fire Department

Fire Chief Mark Howard stated that he will provide some history before he makes tonight's request. He continued that annually, for the last seven years when he has been here with this request, the committee asks him about how the fire prevention parade started. He did not have the answer then, but he did some research and has a document to share from the Historical Society. The document was prepared by former Fire Chief H. Emile DeRosier, who died of leukemia in 1987 as an active member.

Chief Howard read:

“The Keene Fire Department predates March 22, 1808, when a group of 42 prominent citizens were original members of the fire society, first called Subscribers for an Engine. On March 22 the title was changed to Proprietors for an Engine; seven days later an act was voted at the General Court to incorporate the proprietors under the name of Keene Engine Company. This act was approved June 13, 1808. Fire equipment as needed as purchased with money from the members' own purses.

The first meeting of the corporations was held on February 6, 1809, at William Pierce's Tavern, site of the present Cheshire Block. Noah Cooke was chosen moderator; Albe Cady, clerk; Cady, Elijah, Dunbar, and James Mann as a committee to draw up bylaws, rules, and regulations necessary for the governing of the corporation. These were accepted on February 21, 1809, and the society was incorporated under the name Keene Engine Company.

Of the 42 members, 20 were chosen to constitute the first engine company, with Josiah Willard as captain. The first firewards were James Mann, William Wyman, John Bond, and Daniel Adams. The first president was Noah Cooke.

On June 28, 1822, an act was passed by the State Senate and House of Representatives to change the name from Keene Engine Company to Keene Fire Society.

Of several companies formed at various times, the Deluge Engine and Hose Company was the first in service and is still in existence with the name Deluge Hose Company. Another, first called the Phoenix Hook and Ladder Company, is now known as the Washington Hook and Ladder Company, and dated from 1868 or 1869. In August 1883 a new company was formed called the Keene Steam Fire Engine and Hose Company and is also still in existence.

In 1847 the Board of Engineers became the official title of the fire service. Also at this time the town started to purchase from the society the fire equipment which would become town property. The Fire Department was to be governed by the selectmen. On April 12, 1856, the Board of Engineers adopted the title Keene Fire Department for the organization.

The first fire house, erected in 1808, was located on Main Street, slightly north of the old Sentinel building. Over the years the department headquarters moved to several locations, all unsatisfactory, and finally in 1884 the city purchased property on Vernon Street. Plans called for a building to accommodate three companies, Keene Steam Fire Engine and Hose Co., Deluge Hose Co., and Washington Hook and Ladder Co., with suitable stables for horses and rooms for the drivers. The new fire house was completed in February 1885.

On May 28, 1892, construction of an addition to the Central Fire Station was begun, and by the end of the year all the companies were housed in one building (the present fire station) for the first time in the department's history.

The men in the companies practiced firefighting and fire procedures once a month. In the early days every able-bodied man of the community played a role in firefighting. Each household was required to hang in a conspicuous place two leather buckets painted with the owner's first initial and last name, and these were used to form a bucket brigade at a time of fire. The buckets were made locally by Daniel Watson.

Over the years the town placed a number of wells within the area for a water supply for fires. By 1845 there were eight on Main Street, connected by aqueducts from a central well at the head of the Common. Here a pump was installed to keep the other wells supplied.

After years of discussion a new Deluge Engine hand tub was bought in 1848. This purchase was made only after a fire destroyed one of the town's oldest homes, built in 1775 and called the Major Willard house. The amount of property lost was 10 times greater than the cost of the engine. This engine, Number 348, is still operative in 1967."

Chief Howard stated that that engine today sits at station two as original equipment.

Chief Howard continued:

“By 1853 the Neptune Company had two more engines.

In 1864 all owners of dwellings were ordered to have in their possession a ladder or ladders to reach the highest part of their roof. These ladders were to be kept in good condition at all times.

Around 1868 flush hydrants were coming into use for firefighting; they were replaced in 1890 by post hydrants. By 1869 water from Goose Pond was delivered to the cent roof town by aqueducts made of hollowed-out logs to permit the flow of water. Many thought this would mean the disbanding of the fire department.

In 1874 a new four-wheel hose wagon was purchased for the Deluge Hose Company and located at Symond’s Tannery. The Niagara Engine, with 300 feet of hose, was stationed in the South Keene Chair Shop and manned by a group of the employees.

When the town became a city in 1874, the Fire Department, with a valuation of \$10,000, was turned over to the city government. Virgil A. Wright was the chief under this new form of municipal government, 145 years ago. For years the Board of Engineers had talked of purchasing a team fire engine. This was accomplished in 1883, the Amoskeag Steam Fire Engine.

In 1902 a new (and final) horse-drawn ladder truck was put into service at a cost of \$1,250.”

Chief Howard added that they currently look to replace Ladder 1 at \$1.1 million. He continued:

“The Department for years participated in Fourth of July parade – it was a town parade and all of the companies took part. In the fall of every year the fire companies held a parade and hose-laying contest as a demonstration for the townspeople. After the parade the companies returned to the fire house and waited for the bell to start the exhibition, when each company proceeded to Central Square with its apparatus and laid hose to see which could get water in the shortest time. This type of demonstration continued for years. The firemen would try to see who could get water above the steeple of the First Congregational Church. This event ceased when someone left the trap door open in the steeple and water seeped into the organ, causing great damage. After this they held the exhibition at the Old Armory for a few years and then returned to Central Square until 1958. The next year the fire apparatus went to Robin Hood Park and tested the pumps with other town fire departments. In 1960 this was changed again. The fire companies now hold a Fireman’s Muster at the Cheshire Fair Grounds the first Sunday of Fire Prevention Week, with as many as 50 pieces of motorized equipment.

Inspection Day for the Keene Fire Department is held on Thursday of Fire Prevention Week, a date established when the town became a city in 1874. The special activities

include a parade with city officials, a tour of the fire house, a hose-laying contest, and a traditional scalloped oyster supper catered by the Ladies' Auxiliary. The day's events conclude with the Firemen's Ball in the evening."

Chief Howard stated that if that information is all true, this would mark at least 145 years since the Fire Prevention Parade started. During his tenure as Chief it has been canceled once in seven years, due to floods. When he first started here 26 years ago there was one year when it was postponed. That concludes the history he was able to come up with.

Vice Chair Jones thanked Mr. Howard for the detailed and interesting history.

Chief Howard asked for the PLD Committee to recommend that the Fire Department be granted permission to use City property for the 2019 Annual Fire Prevention Parade to be held on Sunday, October 6, 2019. He continued that the parade kicks off Fire Prevention Week activities. This year they request to use the area of the Fleet Services parking lot at 350 Marlborough Street for the parade line-up. The parade will start there at 1:00 PM and proceed westerly on Marlborough Street then north on Main Street to Washington Street and disperse on Vernon Street. There will then be an awards ceremony at the Fire Station. He has been persistent in working with the Band Director at KHS and this year the KHS band will perform.

Vice Chair Jones stated that Chief Howard said "this year" the parade will start on Marlborough Street. He asked if that is a change. Chief Howard replied not a recent change, but the history shows that the parade used to go in reverse. Vice Chair Jones asked if it is a change from last year's route. Chief Howard replied no, it is the same as last year. He continued that the judging/reviewing stand will be just north of Railroad Street and the Council members are invited to attend.

Vice Chair Jones asked if Chief Howard/the Fire Department has had protocol meetings with staff. Mr. Howard replied no. Vice Chair Jones replied that they will be, he assumes.

Vice Chair Jones asked if the committee had questions or comments. Hearing none, he asked the public for questions or comments. Hearing none, he asked for a motion.

Councilor Bosley made the following motion, which was seconded by Councilor Hansel.

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends that the Fire Department be granted permission to use City property for the 2019 Annual Fire Prevention Parade to be held on Sunday, October 6, 2019.

4) Keene Kiwanis Club - Request to Use City Property - 2019 Tree Lighting Event

Elizabeth Sayre, of 290 Main Street, stated that she is here representing the Kiwanis Club of Keene. Don Flibotte, of 112 Arch Street, also introduced himself.

Ms. Sayre stated that they are asking for the City's cooperation and use of City property to host the annual tree-lighting event which benefits the community. She continued that it will again be on a Friday. They do a lot of work with the Main Street business owners, asking for their support and participation. They have concerns about access to their businesses. She cannot speak to other years, since last year was her first year, but last year they had great cooperation with the Public Works and Police Departments so that Central Square was closed for the shortest amount of time possible. Everything went very smoothly. They are asking for that again.

Ms. Sayre stated that the only new part of their request is for the City to consider a one-year trial period to have the lights remain on the poles that go down Main Street. The Kiwanis Club receives a lot of feedback comparing Keene to other communities that have year-round lights. It makes the area welcoming and friendly. This past year they put the lights up in the pouring rain, and three poles had lights that became loose at the bottom. Once the Kiwanis Club was aware of that, three members went to tighten the poles.

They will continue to decorate the gazebo, Central Square, and the tree, and with the cooperation of "tree-picker extraordinaire" Bill Byrnes, who had an exceptional tree last year. Different young Kiwanis groups from the schools will also be participating and area children's groups will be performing Christmas Carols. The Keene Fire Department does a wonderful job bringing Santa Claus to the event.

Vice Chair Jones stated that he knows how they cut out some of the time for the use of Central Square – they cut out having the Mayor read *The Polar Express*. Ms. Sayre replied that last year Mrs. Claus read *The Night Before Christmas*, and the Mayor is welcome to take her place if he so wishes, but Mrs. Claus is probably more fitting to the spirit of the event.

Vice Chair Jones stated that there seems to be two items - one is the use of City property for the tree-lighting event, and the other is the request for year-round lights on poles. He continued that that is two separate motions.

Public Works Director Kürt Blomquist replied that that is correct. He continued that the Kiwanis Club went through the protocols with staff. This will be the third year of closing off Central Square. He explained that due to the success of the event – staff was becoming uncomfortable with trying to keep traffic moving at the same time the event is occurring. He gave kudos to the Public Works Department and the Police Department - they have come up with a rolling barrier plan, which allows them to set it up in about 30 minutes instead of using a lot of concrete, which would take hours. They are sensitive to the needs of businesses and will close Central Square for as briefly as possible. Staff has a recommended motion for the PLD Committee, regarding the Kiwanis Club's use of City property.

Mr. Blomquist continued that there is a second motion regarding the lights on the poles on Main Street. Traditionally, the Kiwanis Club would put them up with City support and then the City turns them off in February, and Kiwanis Club members return in better

weather to remove the lights. He would like more discussion with the City Council about the idea of leaving them up year-round. This is about the third time the concept has come up. Ms. Sayre hears the positive comments about the idea, whereas in his position he tends to attract comments from the other side, and has people asking, "Why are we doing this? Why not turn them off? The holiday season is over," and so on and so forth. The Kiwanis Club is volunteering to take care of the lights this year, which is wonderful, but he is anticipating that after a year's trial they would want to turn it over to the City for the long term. He has concerns, not so much about the energy use, but about the maintenance. The City's past experience has been that strings get damaged and need to be replaced, and they do not have electricians on staff. Staff will be talking with the Kiwanis Club about the type of string lights they purchase. Most people go for ones found in local discount stores, which work well in one's house, but not so well in a more commercial environment like Main Street.

Mr. Blomquist continued that the recommended motion is for providing staff the authority to work with the Kiwanis Club and come up with an agreement about how to deal with it over this next year. There are questions, such as: how many lights will go out before someone comes down to fix them? What happens if it's the City's electrical system that fails and the Kiwanis Club wants reimbursement? He also wants to make sure the City Council is on board with having lights there all year round, because he will get calls about the lights, and then those calls will likely go to the City Council. There are people who love and like the idea but also people who do not. Those are his concerns.

He continued that yes, it is just for one year, but he can imagine that this will go beyond a year and a volunteer group can do a certain level of sustainment but probably not permanently and they would probably be asking the City to take over. That is what has happened before, such as with the Millennium Light Project. They got lights donated but then it was up to the City to maintain over time. He has talked with the Kiwanis Club about his concerns, so they are aware.

Vice Chair Jones stated that he recommends they consider two separate motions. He asked if the committee had questions or comments about the tree-lighting event.

Councilor Bosley asked if there will be two trees this year. Ms. Sayre replied that there is a Keene citizen who donated a tree to put at the roundabout and last year they were not able to do that. She continued that they will do that if it is possible, but this volunteer does it without any City support. The City has always graciously supplied the big tree at Central Square. The Kiwanis Club does not purchase the discount store lights that Mr. Blomquist referred to; they only purchase commercial-grade LED ones.

Councilor Bosley asked how many years the Kiwanis Club has been decorating with the lights. Mr. Flibotte replied that they started doing it when Center Stage stopped. Mr. Blomquist asked if it has been about a decade. Mr. Flibotte replied no, about six years. Ms. Sayre added that the Kiwanis Club is responsible for the purchase and replacement of lights, and for the decorations except for the tree.

Vice Chair Jones asked, there is no electricity at the second roundabout, right? Mr. Blomquist replied that is correct. He continued that if the volunteer does get the tree down there, the City will work with them on that; battery-operated lights have worked before. Vice Chair Jones asked if that is a separate issue that will come before the PLD Committee. Mr. Blomquist replied that he assumes the permission for that is included in the motion the committee is voting on tonight.

Councilor Hansel asked about the new poles that have been installed. Ms. Sayre replied that they had not anticipated decorating those. She continued that they decorate near where the merchants are - from the roundabout at Marlborough and Winchester Streets, they decorate two, and then all the rest would go up towards Central Square.

Vice Chair Jones asked that they first have a motion about the event and then return to the question of the lights on poles. He asked if the committee had any more questions about the tree-lighting event.

Vice Chair Jones asked about a protocol meeting with staff. Ms. Sayre replied that they had it already. She continued that that is when Mr. Blomquist mentioned his concerns. They will discuss more after this.

Vice Chair Jones asked if there were questions or comments from the public. Hearing none, he asked for a motion.

Councilor Hansel made the following motion, which was seconded by Councilor Bosley.

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends the Keene Kiwanis Club be granted permission to use downtown City rights-of-way on November 29, 2019 for the Tree Lighting Festival from 5pm to 8pm conditional upon the customary licensing requirements of the City Council, and that the Petitioner complies with any recommendations of City staff. In addition, the Petitioner is granted permission to erect a holiday tree on the Main/Marlborough/Winchester Street roundabout. The Petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 20 Community Events Budget. Said payment shall be made within 30-days of the date of invoicing.

Vice Chair Jones stated that he thinks the decorating of the light poles needs more discussion. He continued that they have a prepared motion here but maybe they should ask that the Kiwanis Club have some meetings with staff to see what could be worked out. There are issues on both sides. This needs more communication.

Mr. Blomquist replied that they can do that. He continued that they have been talking. The Kiwanis Club *will* decorate the poles with lights; the real question is whether the lights stay up and lit beyond that particular time frame. They can meet and talk more about a few more things. He may be wrong, but his sense is that there will come a time, potentially, where if this is well-liked the Kiwanis Club will want to pass it on to the City. It may be more expense to the Kiwanis Club as they look at this issue. Right now

the lights are only up for a short time, and to be up year-round they may need a more substantial mounting instead of the zip ties they currently use, which would be an increased cost. If the City Council is interested in having this be year-round, those are issues to work out. He would hate to see the Kiwanis Club go through all this and be told at the end of the year “No, we don’t want them now.”

Ms. Sayre stated that she met with Highway Superintendent Bill Byrnes today. She continued that yes, it is a substantial investment from the Kiwanis Club because they would be replacing the lights they have now with lights that have many more hours of use. Before they make that investment, they would like to know if it is something the City supports.

Mr. Flibotte stated that this past year, the people who put the lights up put electrical tape to hold them on the bottom and now they want to put tie-downs on, all the way up. He continued that they were saying the wind and rain had taken some off. Putting on the plastic strips will stop it from coming loose.

Vice Chair Jones stated that he understands how difficult it can be to find volunteers for civic organizations. Ms. Sayre replied that they have some people very dedicated to this event. Kiwanis is kids. This event focuses on children. There are some people very committed to working this event, and they are thankful to their volunteers.

Vice Chair Jones stated that he is trying to craft a motion that would give the Kiwanis Club permission to put the lights up for this year, and also allow discussion with staff regarding the idea of keeping the lights up all year.

City Manager Elizabeth Dragon replied that the question would be: when do the lights normally go up, and do they have time to place this topic on more time and come back with a better agreement in place so they have clear direction?

Mr. Flibotte asked, aren’t the lights on the poles going down Main Street part of the package with the tree-lighting event? Mr. Blomquist replied yes, the PLD Committee did recommend authorizing the lights to go on the poles, for the normal time frame, going up in November and being turned off in January or February. What they are really talking about is keeping them up year round, from November 2019 to November 2020. There are some changes the Kiwanis Club would need to do to accommodate that full year, such as upgrading the lights and attachment system. So they would like an answer about the City Council’s interest.

Ms. Sayre stated that to answer the City Manager’s question, they usually put the lights up the second or third week of November, hopefully before the weather gets really bad, to decorate. She continued that the tree-lighting is the Friday before Thanksgiving.

The City Manager replied that they then have time to work this out. She asked about the possibility of putting up the Kiwanis Club’s existing lights this year, and working on this for the next round. She continued that that way, when the lights come down [at their

usual time] the new ones would go up and they would have time to work out the agreement and not feel rushed in any way. Ms. Sayre replied that that is certainly worth considering.

Vice Chair Jones asked the minute-taker to have the background notes show that the first motion about the tree-lighting event suggests that they also include the lights on the poles, because he does not see that in the motion. The City Attorney replied that it is part of the request tendered by the Kiwanis Club. He continued that in their letter to the City they specify that the lights will go up in certain locations. Vice Chair Jones replied that he just wants the background notes to show that the PLD Committee recommends approving that part.

Councilor Bosley asked what the current state of the lighting is. She asked if the lights need to be replaced now. She would not want a situation in which the lights are okay for a shorter amount of time, but the City Council approves them to stay up year-round and then the Kiwanis Club soon has to pay for replacement lights.

Ms. Sayre replied if this goes long term, even for a year, they would be replacing the lights. She continued that the current ones are good for about 30,000 hours. They were purchased two years ago. Councilor Bosley asked if that means it would not necessarily be a negative thing that if they reuse those lights this winter and when they would have come down they could take those down and put up the new ones at the same time so it is one volunteer event. Ms. Sayre replied yes, they have had staff support for taking them down, so they would just be replacing them. She continued that the concern is someone cannot be coming down every time one light goes out; the Kiwanis Club would have to work out protocols with staff – for example, who gets the call when a light goes out, what is the time frame for response, who does the replacing, and so on and so forth.

Vice Chair Jones asked if the City Manager wants a motion with direction, or just a motion for placing this on more time. The City Manager replied either way. She continued that it depends what the Kiwanis Club is comfortable with. They can spend a few weeks hashing out an agreement for this year, or they could proceed with the usual lights and over the next few months have more time to discuss with the City Council what their thoughts are about having this be year-round.

Vice Chair Jones asked if it is okay to just place it on more time, and if the background notes give enough direction. The City Manager replied that if they place this on more time staff will come back with a plan for this.

Vice Chair Jones asked Mr. Blomquist. Mr. Blomquist replied that he is fine with that, and the general sense he is getting is that the PLD Committee is fine with having year-round lights. He continued that they could work with the Kiwanis Club to come up with a plan at least for the first year, as long as the City Council understands that potentially the lights could come into the City's care.

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Vice Chair Jones stated that they should have the plan worked out before the lights' take-down date. Mr. Blomquist replied yes.

Mr. Flibotte asked, for clarification, if they have already been cleared to put up the pole lights as part of the tree-lighting event. Vice Chair Jones replied yes.

Vice Chair Jones asked the public for questions or comments. Hearing none, he asked for a motion. He suggests placing it on more time.

Councilor Hansel made the following motion, which was seconded by Councilor Bosley.

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends placing the item of decorating the light poles year-round on more time.

Vice Chair Jones asked for discussion. Ms. Sayre asked if the plan would be in place before the end of January. Vice Chair Jones replied yes.

5) Keene Elm City Rotary - Request for Event License - Clarence DeMar Marathon

Alan Stroshine, of 27 Salisbury Lane, stated that he is here with his annual request for an event permit to hold the 42nd annual Clarence DeMar Marathon.

Vice Chair Jones stated that the committee received his letter. He asked if he has anything to add. Mr. Stroshine replied that they have had one protocol meeting already and have another one scheduled. He continued that they do not anticipate any material or significant changes. The event will include kids and super seniors. The main events are the full and half marathons on September 29.

Vice Chair Jones asked if anyone has questions or comments.

Councilor Bosley stated that it is a wonderful event. Vice Chair Jones replied that it certainly is. He continued that recently a mural went up honoring Clarence DeMar. Mr. Stroshine replied yes, they are working with the Historical Society to put together downtown tours for out-of-town runners.

Vice Chair Jones asked how many Boston marathons Clarence DeMar won. Mr. Stroshine replied seven and he was a bronze medalist in the 1924 Paris Olympics.

Vice Chair Jones asked for questions or comments from the public or committee. Hearing none, he asked for a motion.

Councilor Bosley made the following motion, which was seconded by Councilor Hansel.

On a vote of 3-0, the Planning, Licenses, and Development Committee recommends that the Elm City Rotary Club be granted permission to sponsor the Clarence DeMar

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Marathon on September 29, 2019, subject to the customary licensing requirements of the City Council, and compliance with any recommendations of City staff. The Petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 20 Community Events Budget, and agrees to remit said payment within 30-days of the date of invoicing.

Vice Chair Jones thanked Mr. Stroshine and wished him good luck with the event.

6) REPORT OUT: Daron Friedman - Request to Acquire Property - Washington Street

Vice Chair Jones stated that this item was on more time. He continued that the Petitioner appeared before the committee a long time ago. There was a small piece of property off Washington Street they were interested in using. The Petitioner is not here. He asked for staff to speak.

Mr. Lamb stated that this request came about a year ago, regarding Mr. Friedman's request to purchase a portion of City-owned property on the back of his two lots off of Washington Street. It is an isolated part that used to be part of Ellis-Harrison Park. The vast majority of the park is on the other side of Beaver Brook. It is land that came to the City as part of the purchase of the land that became that park. It was also purchased with land and water conservation funds through federal programs, so it came with strings attached. It is not so easy to get the state and federal approvals to sell a piece of land that was acquired with those types of funds. Staff worked with Mr. Friedman and left this topic on more time, with the idea that if Mr. Friedman would take on some of the work so the City could have the necessary agreements with the state and federal agencies, the City would let him do that, but he has not done that. Staff recommends the PLD Committee report this out. If Mr. Friedman wants to bring this back, in a more prepared form, he can. Staff has spoken with him, so he is aware.

Vice Chair Jones asked if there were any questions or comments from the public or committee. Hearing none, he asked for a motion.

Councilor Hansel made the following motion, which was seconded by Councilor Bosley.

By a vote of 3-0, the Planning, Licenses, and Development Committee recommends that the request from Daron Friedman to purchase an unused part of Ellis-Harrison Park on Washington Street be reported out as informational.

Hearing no further business, Vice Chair Jones adjourned the meeting at 8:09 PM.

Respectfully submitted by,
Britta Reida, Minute-taker

Additional Edits by,
Terri M. Hood, Assistant City Clerk